

**CITY OF AUSTIN**  
**Board of Adjustment/Sign Review Board**  
**Decision Sheet**

**DATE:** Monday, March 9, 2015

**CASE NUMBER:** C15-2015-0030

☐ Y ☐ Jeff Jack - Chair  
☐ Y ☐ Michael Von Ohlen **Motion to PP to 4-13-15**  
☐ Y ☐ Melissa Whaley Hawthorne - Vice Chair **2<sup>nd</sup> the Motion**  
☐ Y ☐ Sallie Burchett  
☐ OUT ☐ Ricardo De Camps  
☐ OUT ☐ Brian King  
☐ Y ☐ Vincent Harding  
☐ Y ☐ Will Schnier - Alternate  
☐ Y ☐ Stuart Hampton - Alternate

**APPLICANT:** Thomas Hall

**OWNER:** Michael Craig

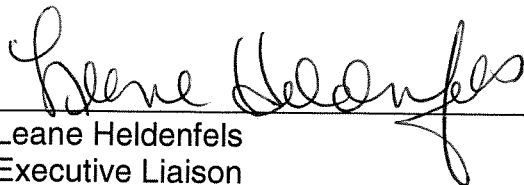
**ADDRESS:** 3132 HONEY TREE LN

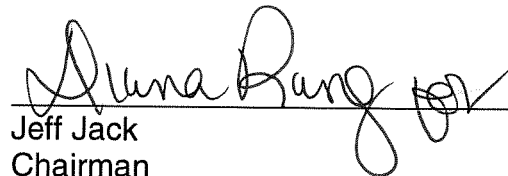
**VARIANCE REQUESTED:** The applicant has requested a variance to Section 25-2-515 (*Rear Yard of a Through Lot*) to decrease the minimum through lot setback from 25 feet (required) to 10 feet (requested) in order to expand/remodel an existing residence in an "SF-2", Family Residence zoning district.

**BOARD'S DECISION:** The public hearing was closed on Board Member Michael Von Ohlen motion to Postpone to April 13, 2015, Board Member Melissa Hawthorne second on a 7-0 vote; **POSTPONED TO APRIL 13, 2015.**

**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:  
(b) The hardship is not general to the area in which the property is located because:
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

  
Leane Heldenfels  
Executive Liaison

  
Jeff Jack  
Chairman

## PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed application. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

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A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing;
- and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [www.austintexas.gov/development](http://www.austintexas.gov/development).

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. Any comments received will become part of the public record of the case.

**Case Number: C15-2015-0030, 3132 Honey Tree Lane**

**Contact:** Leane Heldenfels, 512-974-2202, [leana.heldenfels@austintexas.gov](mailto:leana.heldenfels@austintexas.gov)

**Public Hearing: Board of Adjustment, March 9th, 2015**

William D Brown

Your Name (please print)

3132 Honey Tree Lane

Your address(es) affected by this application

[Signature]

Signature

3/2/15

Date

Daytime Telephone: (512) 494-3127

Comments: This is a very unique situation as we have public streets both in the front and rear of our homes. All our neighbors' fences back up to Old Welsh Tangleton. The houses across <sup>by</sup> Welsh Tangleton also have their rear fences about their side of Old Welsh Tangleton. There is no reason for a 25' <sup>rear</sup> setback in this situation as Old Welsh Tangleton is practically a paved public alley. We support the variance. See attached drawing.

Note: any comments received will become part of the public record of this case

**If you use this form to comment, it may be returned to:**

City of Austin-Planning & Development Review Department/ 1st Floor

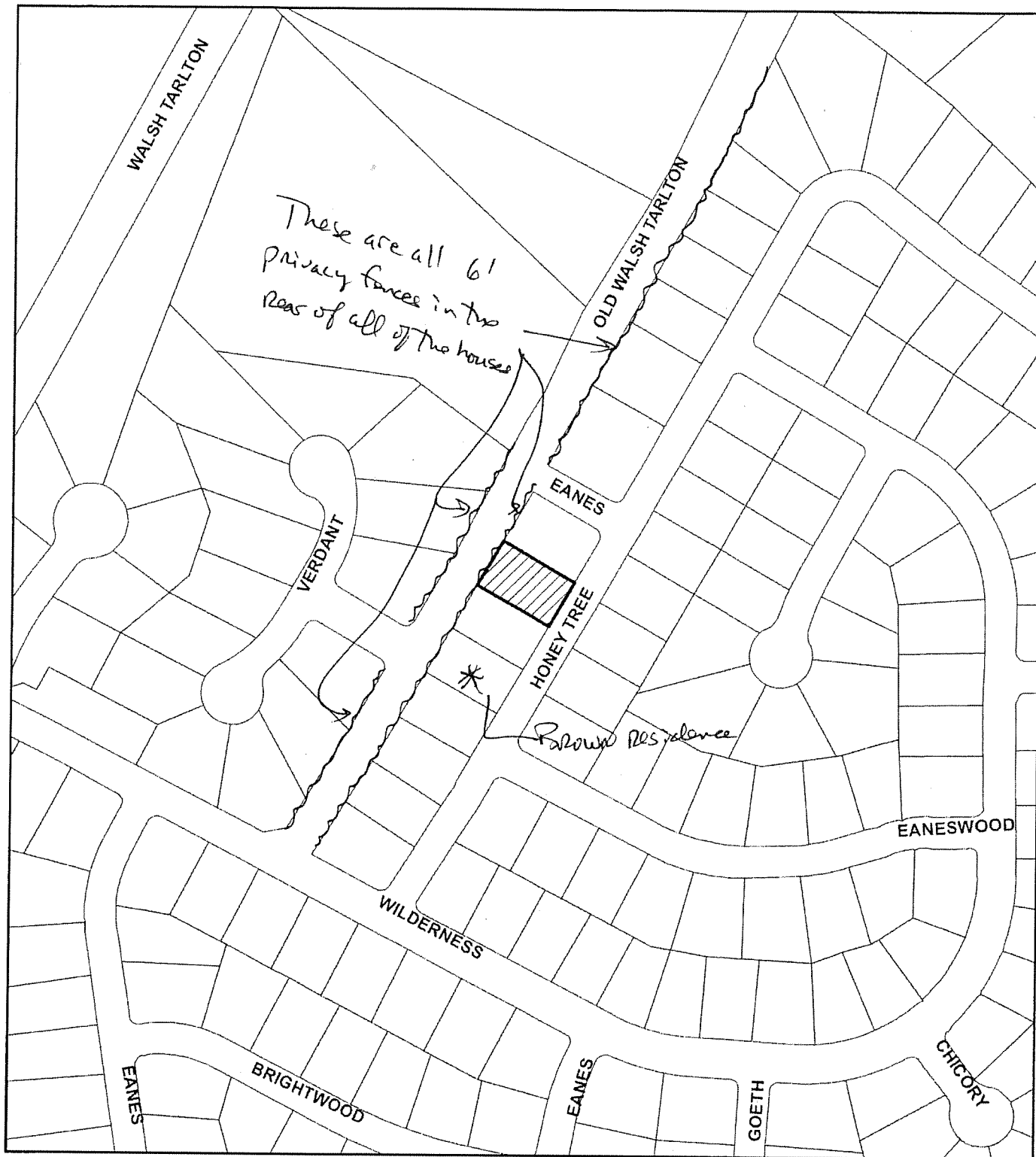
Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Or fax to (512) 974-6305

Or scan and email to [leana.heldenfels@austintexas.gov](mailto:leana.heldenfels@austintexas.gov)



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

CASE#: C15-2015-0030

Address: 3132 HONEY TREE LANE

1" = 200'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



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**Public Hearing:** Board of Adjustment, March 9th, 2015

Your Name (please print)

*Robert Reeves & Beth Plouff*

☐ I am in favor  
☒ I object

Your address(es) affected by this application

*1204 WILDEANESS COVE*

Signature

Date

Daytime Telephone: *512 656 6402*

Comments: *THE CHARACTER OF THIS NEIGHBORHOOD*

*IS DEFINED BY LARGE YARD TO HOUSE RATIOS, AND BY LARGE DISTANCES BETWEEN ADJACENT HOMES. REDUCING THE SPACE TO THE BOUNDARY WILL SET A PRECEDENT AND LEAD TO DECREASED YARDEN AND TREE COVER. I DO NOT APPROVE OF INCREASING IMPERVIOUS COVER IN OUR NEIGHBORHOOD.*

Note: any comments received will become part of the public record of this case

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City of Austin-Planning & Development Review Department/ 1st Floor

Leane Heldenfels




P. O. Box 1088

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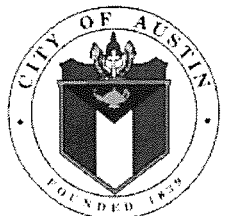
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-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

CASE#: C15-2015-0030  
Address: 3132 HONEY TREE LANE



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CASE# C15-2015-0030  
ROW# 11290499  
TAX# 0107130302

**CITY OF AUSTIN**  
**APPLICATION TO BOARD OF ADJUSTMENT**  
**GENERAL VARIANCE/PARKING VARIANCE**

**WARNING: Filing of this appeal stops all affected construction activity.**

**PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.**

STREET ADDRESS: 3132 Honey Tree Lane

LEGAL DESCRIPTION: Subdivision – Bee Cave Woods Section 1 \_\_\_\_\_

Lot(s) 2 Block B Outlot \_\_\_\_\_ Division \_\_\_\_\_

I/We Thomas B. Hall

on behalf of myself/ourselves as authorized agent for

Michael Craig affirm that on December 29,  
2014, I \_\_\_\_\_, hereby

apply for a hearing before the Board of Adjustment for consideration to:

**(check appropriate items below and state what portion of the Land Development Code you are seeking a variance from)**

    ERECT     ATTACH     COMPLETE   X   REMODEL     MAINTAIN

Add 127 sq. ft. within the 25' Through Yard setback along Old Walsh Tarlton Road

in order to preserve existing Protected Trees.

Land Development Code 25-2-515, Rear Yard of a Through Lot

in a SF2 district.  
(zoning district)

**NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.**

**VARIANCE FINDINGS:** I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

**REASONABLE USE:**

1. The zoning regulations applicable to the property do not allow for a reasonable use

because, though the property fits the definition of a through lot, there are no homes facing and cannot be any driveways entering Old Walsh Tarlton, and thus the property cannot function as a through lot as contemplated in the ordinance.

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**HARDSHIP:**

2. (a) The hardship for which the variance is requested is unique to the property in that:  
the Through yard Setback requirements in concert with the Protected Trees severely limit construction options.
- 

(b) The hardship is not general to the area in which the property is located because:  
other properties generally do not have Protected Trees.

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**AREA CHARACTER:**

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

The proposed encroachment is so small as to be mostly hidden behind the privacy fence along Old Walsh Tarlton. The house to the north has a Sport Court backstop adjacent to the subject property, and the wing of the house to the south faces that home's courtyard and blocks sight of the proposed construction from the common areas of the house. The purpose of the regulation will not be impaired as the subject and adjacent properties cannot function as through lots.

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**PARKING:** (Additional criteria for parking variances only.) N/A

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes

findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

---

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2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

---

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3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

---

---

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

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**NOTE:** The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

**APPLICANT CERTIFICATE** – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Thom D Hall Mail Address P.O. Box 684278

City, State & Zip Austin, Texas 78768

Printed Thom D Hall Phone 512 4760132 Date 12/30/14

**OWNERS CERTIFICATE** – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Michael Craig Mail Address 3132 Honey Tree Lane

City, State & Zip Austin, Texas 78731

Printed Michael Craig Phone 512-327-5328 Date 12/30/14

# CITY OF AUSTIN DEVELOPMENT WEB MAP



THIS PRODUCT IS FOR INFORMATIONAL PURPOSES AND MAY NOT HAVE BEEN PREPARED FOR OR BE SUITABLE FOR LEGAL, ENGINEERING, OR SURVEYING PURPOSES. IT DOES NOT REPRESENT AN ON-THE-GROUND SURVEY AND REPRESENTS ONLY THE APPROXIMATE RELATIVE LOCATION OF PROPERTY BOUNDARIES. THIS PRODUCT HAS BEEN PRODUCED BY THE CITY OF AUSTIN FOR THE SOLE PURPOSE OF GEOGRAPHIC REFERENCE. NO WARRANTY IS MADE BY THE CITY OF AUSTIN REGARDING SPECIFIC ACCURACY OR COMPLETENESS.

# WALSH-TARLTON LANE

R.O.W. VARIES

EDGE-OF-ASPHALT

(N 31°06'00" E 80.00')  
N 31°06'21" E 79.93'

(N 31°06'00" E 85.09')  
N 31°06'21" E 85.02'

STONE COLUMNS WITH WOOD FENCE

(7.5' P.U.E.)

TELEPHONE RISER

LOT 3

LOT 1

LOT 2  
BLK.B

STRINGLINE

## LEGEND

- 1/2" REBAR FOUND
- 1/2" CAPPED REBAR SET
- 1/2" IRON PIPE FOUND
- 600 NAIL FOUND
- 600 NAIL SET
- CAPPED REBAR FOUND
- "X" SET IN CONCRETE
- "X" FOUND IN CONCRETE
- SPINDLE FOUND
- PUNCH HOLE FOUND
- CHAIN LINK FENCE
- WOOD FENCE
- METAL FENCE
- B.L. BUILDING LINE
- P.U.E. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- ( ) PER PLAT
- C.M. CONTROL MONUMENT
- R.O.W. RIGHT OF WAY
- P.O.B. PLACE OF BEGINNING
- OH OVERHEAD ELECTRIC
- AP AIR CONDITIONER

(N 58°56'38" W 129.56')  
N 58°56'38" W 129.56'

(S 58°58'16" E 129.42')  
S 58°58'16" E 129.42'

STONE WALLS & STONE COLUMNS

(BEARING BASIS)

CM-TO-CM

S 31°00'00" W 230.08' (230.09')

CM  
S 31°00'00" W 80.00'  
(S 31°00'00" W 80.00')

CURB

S 31°00'00" W 79.99'  
(S 31°00'00" W 80.00')

WATER METERS

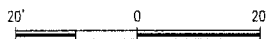
S 31°00'00" W 70.09'  
(S 31°00'00" W 70.09')

CM

# HONEY TREE LANE

(50' R.O.W.)

- = Existing
- - - = Proposed, not in SETBACK
- - - = Proposed in Setback
- = Setback line



## BOUNDARY & STRINGLINE SURVEY

### IMPORTANT NOTICE

This Survey was prepared without the benefit of a title commitment. There may be additional setback lines, easements and interests which are relevant to this property and unknown to B & G SURVEYING.



TO THE LIENHOLDER AND / OR PRESENT OWNERS OF THE PREMISES SURVEYED

### FLOOD CERTIFICATION

THIS AREA IS NOT DEPICTED AS BEING IN A SPECIAL FLOOD HAZARD AREA PER FEMA'S FLOOD INSURANCE RATE MAP 0445H, DATED 09/26/04. IT IS REPRESENTED AS IN ZONE "X". HOWEVER, AT THE PRESENT TIME, NO ELEVATIONS, DRAINAGE, OR FLOOD STUDIES HAVE BEEN PERFORMED AND INFORMATION IS BASED SOLELY UPON SAID MAP. THE SURVEYOR DOES NOT ASSUME RESPONSIBILITY AS TO ANY INFORMATION PROVIDED SAID MAP AND DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE OF FLOOD DAMAGE. FOR FURTHER INFORMATION CONTACT YOUR FLOOD PLAN ADMINISTRATOR.

STREET ADDRESS: 3132 HONEY TREE LANE CITY: AUSTIN COUNTY: TRAVIS STATE OF TEXAS  
LOT: 2 BLOCK: B SUBDIVISION: BEE CAVE WOODS, SECTION 1 VOL/CAD: 76 PG/SID: 68 PLAT: RECORDS  
REFERENCE NAME: TOM HALL CONSTRUCTION



B & G SURVEYING, LLC

FIRM REGISTRATION NO. 100363-00

WWW.BANDGSURVEY.COM  
1404 West North Loop Blvd.  
Austin, Texas 78756  
Office 512\*458-6969, Fax 512\*458-9845

JOB # B1212314\_TA  
DATE: 12/17/14  
SCALE: 1"= 20'

FIELD WORK BY:	ELI	12/16/14
SALVO BY:	WYLE	12/17/14
QUANTIFIED BY:	AND	12/17/14
CHECKED BY:	VC	12/17/14

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**Public Hearing:** Board of Adjustment, March 9th, 2015

Your Name (please print)

Your address(es) affected by this application

Signature

Date 20-12

Daytime Telephone:

\* Will this vehicle allow for a 10' or 12' clearance?  
Comments: ~~Too close to a main use with no ADA street.~~

[illegible]

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